

CIVIL DOCKET
UNITED STATES DISTRICT COURT

67-C-195

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE

ATTORNEYS

WILSHIRE OIL COMPANY OF TEXAS, a corp.

vs

L. E. RIFFE, O. HOMER RIFFE, and
THOMAS J. MASTERSON"Attorney's Lien claimed by
Jack I. Gaither"

For plaintiff:

Robert J. Woolsey
602 National Bank of Tulsa Bldg
Tulsa, Oklahoma 74103

For defendant:

Jack I. Gaither
~~415 South Denver~~ *Stow 7*
Tulsa, Okla. 74108 LU 7-6764Joe Francis
Kennedy Building
Tulsa, OklahomaJames R. Eagleton
608 NBCommerce Building 74103
Tulsa, Okla.

STATISTICAL RECORD

COSTS

DATE

NAME OR
RECEIPT NO.

REC.

DISB.

J.S. 5 mailed 11-3-67

Clerk

1967
10-5
10-12Woolsey
C/D 16

15 00

15 00

J.S. 6 mailed 6-1-70

Marshal

Basis of Action: Recovery
of fines and attorney
fees

Docket fee

Witness fees

Action arose at: Tulsa

Depositions

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-5-67	Complaint filed and summons issued. ds	
10-7-67	12:15 P.M. Waiver of summons and entry of general appear of defendant, L. E. Riffe, filed. b	
10-9-67	8:37 A. M. Waiver of summons and entry of general appearance of defendant O. Homer Riffe, filed. b	
10-11-67	Summons as to L. E. Riffe and O. Homer Riffe returned unserved at the request of the plaintiff, filed. b	
10-11-67	Summons as to Thomas J. Masterson returned unserved at the request of the plaintiff, filed. b	
10-24-67	Counterclaim of defendant, L. E. Riffe, filed. b	
10-24-67	Combined motions of defendant, to dismiss, to strike, for more definite statement, and for severance and separate trials, filed by L. E. Riffe. b	
10-25-67	Application of defendant, L. E. Riffe, for extension of time to file brief in support of combined motions, filed. b	
10-25-67	Order filed granting L. E. Riffe an extension of 15 days from date to file brief in support of combined motions filed 10-24-67. (NCH-Clerk) b	
10-26-67	Defendant O. Homer Riffe's separate motion, filed. ds To strike and for sep. trial	
10-26-67	Brief in support of O. Homer Riffe's separate motion, filed. ds	
10-30-67	Stipulation extending time to take deposition, filed. (approved AEB-J) e	
11-6-67	Motion of Wilshire Oil Company of Texas for a protective order on deposition, filed. b	
11-6-67	Brief in support of motion of Wilshire Oil Company of Texas for a protective order on deposition, filed. b	
11-9-67	Brief of L. E. Riffe in support of motion to dismiss, motion to strike, and for more definite statement, and motion for severance and separate trials, filed. ds	
11-14-67	Stipulation postponing taking of depositions, filed. e	
11-16-67	Application for and order allowing plaintiff until 12-11-1967 to plead or answer to counterclaim of defendant, filed. (NCH-Clerk) g	
11-28-67	Brief and response to motion to strike of O. Homer Riffe, filed. g	
12-6-67	Brief and response to motion of L.E. Riffe to dismiss filed. h	
12-6-67	Answer of Wilshire Oil Company of Texas to Counter-Claim of defendant, L.E. Riffe, motion to dismiss counter-claim of L.E. Riffe and motion for a more definite statement of counter-claim of L.E. Riffe, filed. h	
12-20-67	Brief of L. E. Riffe in opposition to Motion to Dismiss Counterclaim, filed. e	
1-17-68	Plaintiff's Motion for Change of Venue and Motion to Transfer, with Affidavit, filed. w	
1-17-68	Brief in Support of Motion for change of venue and motion to transfer, filed. w	
1-17-68	Plaintiff's Motion to Amend Complaint, with Brief, filed. w	
2-2-68	Brief of separate defendant O. Homer Riffe in response to plaintiff's brief in support of motion to amend and motion for change of venue, filed. w	
2-2-68	Objection of L.E. Riffe, defendant herein, to plaintiff's motion for change of venue and motion to transfer filed. h	
2-2-68	Brief of defendant L.E. Riffe in response to plaintiff's motion for change of venue filed. h	
2-12-68	Supplemental brief of O. Homer Riffe in opposition to motion to transfer case to Kansas, filed. w	
2-19-68	Response of Wilshire Oil Co. to briefs of O. Homer Riffe & L. E. Riffe objecting to transfer of cause of action to U.S. Dist. Ct., Dist. of Kansas, filed. w	
2-23-68	Supplemental Brief of separate defendant, O. Homer Riffe, filed. ds	
2-28-68	Plaintiff's response to supplemental brief of separate defendant, O. Homer Riffe, filed. w	

Continued

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-26-68	Depositions of Siggi B. Wilzig, James G. Tremaine, and Walter Porter taken on 1-31-68 by defendant L.E. Riffe by Timothy Holmes CSR filed. (\$36.00)h	
6-3-68	Amendment to motion to dismiss of defendant, L. E. Riffe, filed. ds	
6-6-68	Affidavit of Joe Francis. Filed js	
6-17-68	Supplement to response to motion to dismiss, filed. w	
7-17-68	Motion of separate defendant, O. Homer Riffe, for summary judgment, filed. w	
7-17-68	Brief of defendant, O. Homer Riffe, in support of his motion for summary judgment, filed. w	
7-26-68	Plaintiff's brief and response to motion of O. Homer Riffe for Summary Judgment, filed.	
5-7-69	Order Overruling Plaintiff's Motion For Change Venue and Motion To Transfer, (AEB-J) filed. js (Mailed to all Atty.)	
5-14-69	Motion of defendant L. E. Riffe to expedite case, filed. m	
5-14-69	Ordered that parties granted 10 days within which to file objections and brief in opposition to motion to expedite. (AEB-J)m	
5-20-69	Application For Extension of Time to Respond to the Motion of L. E. Riffe To Expedite Case, filed, by Wilshire Oil Co. js	
5-20-69	Order, filed, granting an extension of time to file Response to Motion of deft. L.E. Riffe, until June 4, 1969. (AEB-J) js	
5-20-69	Response of Wilshire Oil Company of Texas to motion of L. E. Riffe to expedite the case and supporting brief, filed. g	
9-30-69	Order, filed, that motion to dismiss & amendment to motion to dismiss filed by L. E. Riffe is overruled; that motion to make more definite statement filed by L. E. Riffe is overruled; that motion to strike filed by L. E. Riffe and motion to strike filed by O. Homer Riffe are overruled in part and sustained in part; that motion to reduce the ad damnum clause filed by O. Homer Riffe is sustained; that motion for S/J filed by O. Homer Riffe is overruled; that motion to amend complaint is sustained & pltf. is given 5 days from date to amend complaint; that motion to dismiss counter-claim of L. E. Riffe & motion to make more definite & certain with reference to counter-claim of L. E. Riffe is overruled; that motion for change of venue & transfer of pltf. is overruled; that motions for severance & separate trial is overruled; & that defts. L. E. Riffe and O. Homer Riffe file their answer within 15 days from filing of amended complaint. (AEB-J)m (copies mailed)	
9-30-69	Order, filed, that deft. L. E. Riffe's motion to expedite case is sustained and that case will proceed to trial in an orderly fashion. (AEB-J)m (copies mailed)	
10-6-69	Amended Complaint filed. h	
10-14-69	Answer of L. E. Riffe to Amended Complaint, filed. js	
10-20-69	Answer of O. Homer Riffe to amended complaint, filed. m	
1-6-70	Minute Order: Parties directed to hold pre-trial and file pre-trial order not later than 2-12-1970. (AEB-J)g	
1-16-70	Pre-trial order, filed, case to be set on non-jury assignment. (Allen E. Barrow - Judge) b	
1-20-70	Minute Order: Extend discovery 15 days from February 6, 1970, per Letter of Mr. Woolsey dated Jan. 19, 1970. No further extenesons to be granted as to discovery. (AEB-J). js	
1-22-70	Notice of plaintiff of taking depositions upon oral examination of Robert S. Ketchum, et al., filed. b	
1-22-70	Notice of plaintiff of taking depositions upon oral examination of Thomas J. Masterson and Warren Smith, K. C. Kas., filed. b	

(Continued on Page No. 4, Sheet No. 2)

Sheet No. 2

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-30-70	Deposition of Robert S. Ketchum, taken by plaintiff at Oklahoma City, Okla. on 1-20-70 before Roger K. Worsham, CSR. (Fee \$40.00 paid by plaintiff.) b	
1-30-70	Deposition of Jack Mitchell, taken by plaintiff at Oklahoma City, Okla. on 1-20-70 before Roger K. Worsham, CSR (Fee \$46.00 paid by plaintiff.) b	
2-2-70	Notice of taking deposition upon oral examination, directed to L. E. Riffe and O. Homer Riffe, filed. Supoena issued. ds	
2-3-70	Deposition subpoena, returned and filed: served Ray Lester Felts at Tulsa, Oklahoma on 2-3-70. (USM \$2.00)g	
2-4-70	Deposition of Jack Dahlgren taken on behalf of palintiff, at Oklahoma City, Okla, on 1-20-70 before Roger K. Worsham, CSR, filed. (\$47.00) ds	
2-4-70	Application for extension of time for completion of discovery, filed.m	
2-9-70	Return on deposition subpoena filed. Served Warren Smith at Overland Park, Kansas, on 2-2-70. (\$5.60). Served Thomas J. Masterson at Mission, Kansas, on 2-1-70. (\$5.60) ds	
2-9-70	Order that extension of time for completion of discovery is granted to 2-16-70 to pltf., and that this shall be the last extension granted in this case, filed. (AEB-J)m (copies mailed)	
2-17-70	Motion for medical examination of L. E. Riffe, filed. ds	
2-17-70	Plaintiff's brief in support of motion for medical examination, filed. ds	
2-17-70	Ordered by the Court that defendant file a responsive brief to motion of plaintiff for medical examination within ten days. (AEB-J) ds	
2-19-70	List of witnesses to testify on the part of the plaintiff, filed. b	
2-20-70	Pltff's second application for extension of time for completion of discovery, filed. m	
2-24-70	Court orders that Order Nunc Pro Tunc Correcting Order dated 2-5-70 and filed 2-9-70 to show extension should have been granted to 2-26-70 rather than 2-16-70.(AEB-J)h	
2-25-70	Response of L. E. Riffe to second application for extension of time by Wilshire Oil Company of Texas, filed. ds	
2-25-70	Brief in Response to Application for Medical Examination of L. E. Riffe By Wilshire Oil Com. of Texas. filed. js .	
3-5-70	Deposition of Harold C. Malloy on behalf of plaintiff, taken by William J. Moore, at Austin, Texas, filed. ds	
4-1-70	Stipulation that case be placed upon the dormant docket to be removed upon application of either party, filed. b	
4-1-70	Order (attached to stipulation) filed, that case be placed upon the dormant docket until further order. (AllenE# Barrow)Judge) Copies above order mailed to James R. Eagleton and Robert J. Woolsey. b	
5-7-70	Depositions of Warren Smith and Thomas J. Masterson taken on behalf of pltf, filed. (Fees: \$137.80 pd. by pltf.)m	
5-28-70	Parties motion to dismiss, filed. b	
5-28-70	Order filed and entered (a part of motion) that case is dismissed. (Allen E. Barrow - Judge) b	